

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

JUNE CULROSS

Plaintiff,

v.

FALLON CLINIC, INC. and  
MARLENE DODGE

Defendants.

C. A. No. **05-40092FDS**

**ASSENTED TO JOINT MOTION TO EXTEND THE TIME FOR DEFENDANTS TO  
FILE A RESPONSIVE PLEADING TO PLAINTIFF'S COMPLAINT**

The Parties hereby submit this Joint Motion To Extend The Time For Defendants To File A Responsive Pleading to Plaintiff's Complaint ("Joint Motion"). In support of this Joint Motion, the Parties state as follows:

1. By this action, the Plaintiff alleges that Defendants violated the Family Medical and Leave Act ("FMLA") and M.G.L. c. 151B. Specifically, Plaintiff alleges that Defendants interfered with the exercise of her rights pursuant to the FMLA and discriminated against her on the basis of her alleged handicap.

2. Presently, the deadline for filing a responsive pleading to Plaintiff's Complaint is November 30, 2005.

3. Since receiving the Complaint, counsel for the Parties have had ongoing discussions regarding the possibility of settling the case.

4. The Parties have agreed on the terms of a settlement agreement. At this point, the only outstanding issue is obtaining signatures on the settlement agreement. Due to vacations,

and the Thanksgiving holiday, the Parties may not be able to execute the settlement agreement until next week.

5. Pursuant to the terms of the Settlement Agreement, the Parties will file a Stipulation of Dismissal with Prejudice once the Settlement Agreement is executed.

6. Because the Parties are merely waiting to obtain the appropriate signatures on the Settlement Agreement, and they wish to avoid time and expense in filing unnecessary pleadings, the Parties have agreed that Defendants need not file a responsive pleading.

7. Accordingly, the Parties request that the deadline for submission of a responsive pleading be extended to December 9, 2005.

8. The Parties will not be prejudiced by this extension.

WHEREFORE, the Parties respectfully request that the Court extend the time for Defendants to file a responsive pleading to December 9, 2005.

FALLON CLINIC, INC. and  
MARLENE DODGE  
By their attorneys,

JUNE CULROSS  
By her attorney,

/s/ David M. Cogliano, Esq.  
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Dated: November 30, 2005